

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AERO CONSTRUCTION COMPANY,
INC., a Washington Corporation,

Plaintiff and Counterclaim
Defendant,

v.

BURLINGTON NORTHERN SANTA FE
RAILWAY CORP.,

Defendant, Counterclaimant,
and Third-Party Plaintiff,

v.

DMJM HARRIS, INC., et al.,

Third-Party Defendants.

Case No. C05-1383RSL

ORDER VACATING ORDER TO
SHOW CAUSE

This matter comes before the Court *sua sponte*. On August 10, 2006, third-party defendant Scarsella Bros., Inc. ("Scarsella") filed a motion with related documents that, taken as a whole, exceeded 50 pages in length (Dkt. # 61). On August 17, 2006, this Court issued an order to show cause, (Dkt. # 65), why defendant should not be sanctioned for failure to comply with this Court's "Order Regarding Initial Disclosures, Joint Status Report, and Early Settlement" (Dkt. # 4) and "Minute Order Setting Trial & Related Dates" (Dkt. # 36). Scarsella

ORDER TO SHOW CAUSE

1 subsequently delivered a courtesy copy of the electronic filings, and submitted a response (Dkt.
2 # 66). Upon review of these materials, the order to show cause is VACATED.

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4 DATED this 29th day of August, 2006.

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7 Robert S. Lasnik
8 United States District Judge
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28 ORDER TO SHOW CAUSE